

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 12 and 21 were previously canceled.

Claim 2 is canceled without prejudice or disclaimer of the subject matter therein.

Claims 3, 5, 6, 9 and 13-20 were withdrawn from further considerations.

Claims 1 and 3 are amended without the introduction of new matter.

Claims 1 and 3-20 are pending.

II. Objection to the Specification

The Specification was objected to because of informalities. In response, the Specification is amended as noted above to address that objection. Accordingly, Applicants respectfully request the withdrawal of the objection to the Specification.

III. Objection to the Drawings

The drawings were objected to because of informalities. Specifically, the Examiner states that "the 'dividing means' (claim 1) must be shown or the feature(s) canceled from the claim(s)." In response, claim 1 is amended to address that objection. Accordingly, Applicants respectfully request the withdrawal of the objection to the drawings on that basis.

IV. Objection to the Claim

Claim 3 was objected to because of informalities. In response, claim 3 is amended to overcome that objection. Accordingly, Applicants respectfully request the withdrawal of the objection to claim 3 on that basis.

V. Rejections under 35 U.S.C. § 112

Claims 1-4, 7, 8, 10 and 11 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Specifically, the Examiner states that “claim 1 is vague and indefinite in that it is not clear what the ‘dividing means . . .’ encompasses to the extent that it is not clear exactly what structure shown in Figs. 1-5 allows for formation of the divide.” In response, claim 1 is amended to address that rejection. The rejection of claim 2 is moot because the claim is canceled by the present response as noted above. Claim 3 was withdrawn from further consideration as noted above. Accordingly, Applicants respectfully submit that the rejection of claims 1, 4, 7, 8, 10 and 11 under 35 U.S.C. § 112, second paragraph, is overcome, and request the withdrawal of that rejection.

VI. Rejections under 35 U.S.C. § 103

Claims 1, 2, 4, 7, 8, 10 and 11 were rejected under 35 U.S.C. §103(a) as unpatentable over the admitted prior art (e.g., Fig. 7 of the present application) in view of Otsuki et al. (JP 04-360769, herein “Otsuki”). The rejection of claim 2 is moot because the claim is canceled by the present response as noted above. Applicants respectfully traverse the above rejection on claims 1, 4, 7, 8, 10 and 11.

Independent claim 1 is directed to a cutter, and amended to include the following features.

base material remainder discharging means for discharging the divided base material remainders in directions away from each other and in a thickness direction of the member at a predetermined angle to the discharging direction of the cut-out member.

Referring to the non-limiting embodiment shown in Fig. 3, the base material remainders (i.e., the trim absorbent bodies 133a and 133c) are pulled in the directions of the arrows (i.e., 138a, 138c) which point obliquely upward in a thickness direction of the member (i.e., the absorbent body 23) at a predetermined angle to the discharging direction of the cut-out member. Thus, making an upper portion of the front edge of the absorbent body 23 a supporting point, the bottom of the front edge or the absorbent 23 is lifted, and a crack 32 is generated from the bottom of the front edge of the absorbent body 23. Then, the crack 32 expands along the cutting plane line 29, and the absorbent body 28 begins to separate as shown in Figs. 4C and 4D. Accordingly, because the base material discharging means (i.e., the base material discharging mechanism 24) discharges the trim absorbent bodies 133a, 133c in a thickness direction, the trim absorbent bodies 133a, 133c are effectively and efficiently separated from the absorbent body 23.

The Examiner acknowledges that the admitted prior art does not teach or suggest the base material remainder discharging means. Then, the Examiner combines Otsuki with the admitted prior art to supplement their deficiency.

With respect to Otsuki, as shown in Figs. 5 and 6, the divided base material remainders are discharged away from each other. In this regard, the base material remainder is not discharged in a thickness direction of the member 6A at a predetermined angle to the discharging direction of the cut-out member, as recited in amended claim 1. Thus, a crack is not generated

from the bottom of the front edge of the member 6A. Accordingly, unlike the present invention recited in amended claim 1, the base material remainders are not effectively and efficiently separated from the member 6A. Therefore, Otsuki does not teach or suggest that “base material remainder discharging means for discharging the divided base material remainders in directions away from each other and in a thickness direction of the member at a predetermined angle to the discharging direction of the cut-out member,” as recited in amended claim 1.

Accordingly, even if the teachings of the admitted prior art and Otsuki are combined, the combined teachings of the cited references do not render obvious the features recited in amended claim 1. Therefore, Applicants respectfully request the withdrawal of the rejection of amended claim 1 and claims dependent therefrom based on the cited references, either taken individually or in combination.

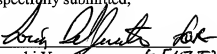
CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

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Respectfully submitted,

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